

U.S. House of Representatives
Committee on the Judiciary
Washington, DC 20515-6216
One Hundred Sixteenth Congress

December 16, 2019

The Honorable James P. McGovern
Chairman
Committee on Rules
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman McGovern,

I am writing to express deep concern over the potential adoption of a special rule that waives all points of order against consideration of H. Res. 755. This action would mark the first time in history that articles of impeachment against a President of the United States would be considered pursuant to a special rule from the Committee on Rules instead of as a privileged question under the Rules of the House.

Impeachment proceedings in the House Judiciary Committee (“the Committee”) were marred by numerous flagrant violations of the Rules of the House by Chairman Jerrold Nadler. While Chairman Nadler violated the Rules on numerous occasions, his most egregious violation was refusing to schedule a minority day hearing pursuant to Clause 2(j)(1) of Rule XI.¹ After a timely demand for a minority hearing day, Chairman Nadler refused to schedule such a hearing despite it being properly requested by all Republican Members of the Committee.²

The day after the Chairman’s initial refusal to schedule a minority hearing day, I wrote to remind him of his responsibilities under Clause 2(j)(1) of Rule XI.³ Republican Members asked him about the status of the minority day of hearings at the hearing on Monday, December 9th.⁴ Chairman Nadler’s only response – other than deflections to Members’ repeated inquiries over the course of two hearings – occurred on December 12, 2019, when he improperly overruled a point of order raised at the Committee’s consideration of the articles of impeachment.⁵

¹ Rules of the House of Representatives, Clause 2(j)(1) of Rule XI.

² The Impeachment Inquiry into President Donald J. Trump: Constitutional Grounds for Presidential Impeachment, Hearing Before the H. Comm. On the Judiciary, 116th Cong. 4 (2019).

³ Letter to the Honorable Jerrold Nadler, Chairman, H. Comm. On the Judiciary, from the Honorable Doug Collins, Ranking Member, H. Comm. On the Judiciary (Dec. 5, 2019).

⁴ See The Impeachment Inquiry into President Donald J. Trump: Presentations from the House Permanent Select Committee on the Intelligence and House Judiciary Committee, Hearing Before the H. Comm. On the Judiciary, 116th Cong. (2019).

⁵ H. Res. 755, Articles of Impeachment Against President Donald J. Trump, Markup in the H. Comm. On the Judiciary, 116th Cong. 109, 116 (Dec. 12, 2019).

If a special rule is adopted, the Rules Committee will have set a dangerous precedent that the Rules of the House don't apply during impeachment proceedings. For that reason, I implore you not to waive points of order based on violations of the House Rules arising during Committee consideration of the articles of impeachment.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Collins". The signature is fluid and cursive, with the first name "Doug" written in a larger, more prominent script than the last name "Collins".

Doug Collins

Ranking Member. House Judiciary Committee

cc: The Honorable Nancy Pelosi, Speaker of the House

The Honorable Tom Cole, Ranking Member, House Committee on Rules